

MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: Eduardo Rodriguez et al
_____ /

Complaint No. 05-02

PUBLIC REPORT AND ORDER DISMISSING COMPLAINT

Barbara McLaughlin ["Complainant"] filed the above-mentioned complaint against Stephen Cypen, Town Attorney, Surfside, Paul Novack, former Mayor of Surfside, Eduardo Rodriguez, former Town Manager of Surfside and Alan Rubin, former Commissioner of Surfside ["Respondents"]. The complaint alleged violations of The Citizens' Bill of Rights, under the Home Rule Charter.

According to the complaint, the former Mayor and members of the Town Commission created the Library of the Future Committee. The Committee was headed by former Town Commissioner Rubin, and was established to review space and design plans for a future library in the Town. Complainant made public records requests to the Town for all files and materials pertaining to the Committee but was advised that no such records exist. Consequently, she alleged that the Respondent's failed to keep minutes and other records of the meetings of the Committee and may in fact have information that they are unwilling to make public.

The Ethics Commission dismissed the complaint for a lack of legal sufficiency. The allegations, even if true, pertain to matters which fall under the Sunshine Law, which is not enforced by the Ethics Commission.


Therefore it is:

ORDERED AND ADJUDGED THAT the Complaint is **DISMISSED**.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics and Public Trust in public session on February 22, 2005.

MIAMI-DADE COUNTY COMMISSION
ON ETHICS AND PUBLIC TRUST

By:


Kerry Rosenthal
Chairperson

Cc: Stephen Cypen
Paul Novack
Eduardo Rodriguez
Alan Rubin